AN ORDINANCE BY COUNCIL MEMBER CLETA WINSLOW 7-0-

AN ORDINANCE TO ABANDON PUBLIC STREETS KNOWN AS ABBOTT STREET AND BALDWIN PLACE, LOCATED IN THE CITY OF ATLANTA, AND TO CONVEY SAID ABANDONED STREETS AT NO COST TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 2-1578 OF THE CITY CODE PROVIDED, HOWEVER, THAT SECTION 2-1578 (c)(3) REQUIRING CERTAIN NOTIFICATIONS AND SECTION 138-9 INSOFAR AS IT RELATES TO THE ADVERTISEMENT AND PUBLIC HEARING REQUIREMENT, SHALL NOT BE WAIVED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("the City") and The Housing Authority of the City of Atlanta, Georgia ("the Housing Authority") have worked as partners to provide affordable housing to the citizens of the City; and

WHEREAS, the Housing Authority is engaged in the revitalization of Harris Homes into a new master planned, mixed-use, mixed-income, mixed-finance community; and

WHEREAS, in conjunction with the revitalization, the Housing Authority is requesting the City of Atlanta to abandon public streets known as Abbott Street and Baldwin Place, and to convey said abandoned streets to the Housing Authority which is the only abutting property owner; and

WHEREAS, pursuant to Section 5(b) of the 2003 Harris Homes Cooperation Agreement by and among the City, the Housing Authority, and Fulton County, which has been executed by the City of Atlanta, the City has agreed to convey such abandoned streets without cost or expense to the Housing Authority.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY GRANTS AS FOLLOWS:

Section 1: The provisions of Section 2-1578 of the Code of Ordinances is hereby waived, provided however, 2-1578 (c)(3) requiring certain notifications and Section 138-9 insofar as it pertains to the advertisement and public hearing requirement, shall not be waived.

Section 2: The public streets and rights of way known as Abbott Street and Baldwin Place, as shown on the attached surveys and described in the attached legal descriptions, are hereby declared no longer useful or necessary for the public's use and convenience and, upon the passage of the ordinance, shall thereafter cease to be public streets for any purpose whatsoever and the rights of the public in and to said vacated and abandoned streets shall cease.

Section 3: Any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time as said utilities are abandoned, removed, or relocated at which time said easements shall expire.

Section 4: Pursuant to the terms of Section 5(b) of the 2003 Harris Homes Cooperation Agreement by and among the City, the Housing Authority, and Fulton County, which has been executed by the City of Atlanta, all of the City's interest in the streets and rights-of-way described in Section 2 is hereby conveyed without cost or expense to the Housing Authority.

Section 5: The Mayor is hereby authorized to execute a quitclaim deed to convey said streets and rights-of-way to the Housing Authority.

Section 6: In accordance with Section 2-1578 (c)(3) of the City Code, appropriate city personnel shall notify utility owners and city departments, including but not limited to, Police, Fire, Planning, Traffic and Transportation, MARTA, GADOT, and maintain a complete response file for summary by the Commissioner of Public Works.

Section 7: Said street abandonment shall be advertised and a public hearing held in accordance with the requirements of Section 138-9.

Section 8: All code sections, ordinances, and parts of code sections and ordinances in conflict are hereby waived for the purpose of this ordinance only.

68 Mitchell Street, SW, Atlanta GA 30335 (404) 330-6240 FAX (404) 658-7552

## Request for Abandonment of Public Right-of-Way

Name of S	Street #1:	Baldwin Place	/ Abbott S	Street		
Between _	Baldwin	Street / Sells Ave.	and	Westview Drive	/ Westview Drive	
Petitioner Name: The Housing Authority of the City of Atlanta, Georgia						
Petitioner Address: 230 John Wesley Dobbs Avenue, NE; Atlanta, GA 30303						
E-Mail A	ddress:	Keith.morton@atlan	tahousing	<u>corg</u>		

# Required Submittals

August 9, 2007

Date:

The following submittals are required to initiate the process for consideration of abandonment of a public right-ofway:

- 1. A survey plat of the area to be abandoned. Survey plat should be prepared by a registered surveyor in a manner suitable for filing. Plat is subject to review and approval by the Department of Public Works.
- 2. A list of all abutting property owners, respective addresses, tax parcel codes, deed book and page number of
- 3. An "owner's statement" from each abutting property owner.
- 4. Fee of \$2,500 for streets abutting the development of residential subdivisions, commercial industrial tracts OR a fee of \$2,000 for streets abutting individual lots. This fee is applied to the cost of the appraisal of the parcel and advertisement of the proposed abandonment.
- 5. Any special information deemed necessary or appropriate by the Commissioner of the Department of Public Works.

## **Certifications of Intent**

I, The Housing Authority of the City of Atlanta, GA the undersigned, do hereby certify that I am a qualified petitioner for the abandonment of the above listed street and so intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

(Except as stated in section 5(b) of the 2003 Harris Homes Cooperation Agreement)

Name

TRANSPORTATION

Notary Public

Date

Please forward all requested in the department of Pubic Works, Atlanta City Hall South, 68 Mitchell Street, suite 4700, Atlanta, GA 30335 (404) 330-6254

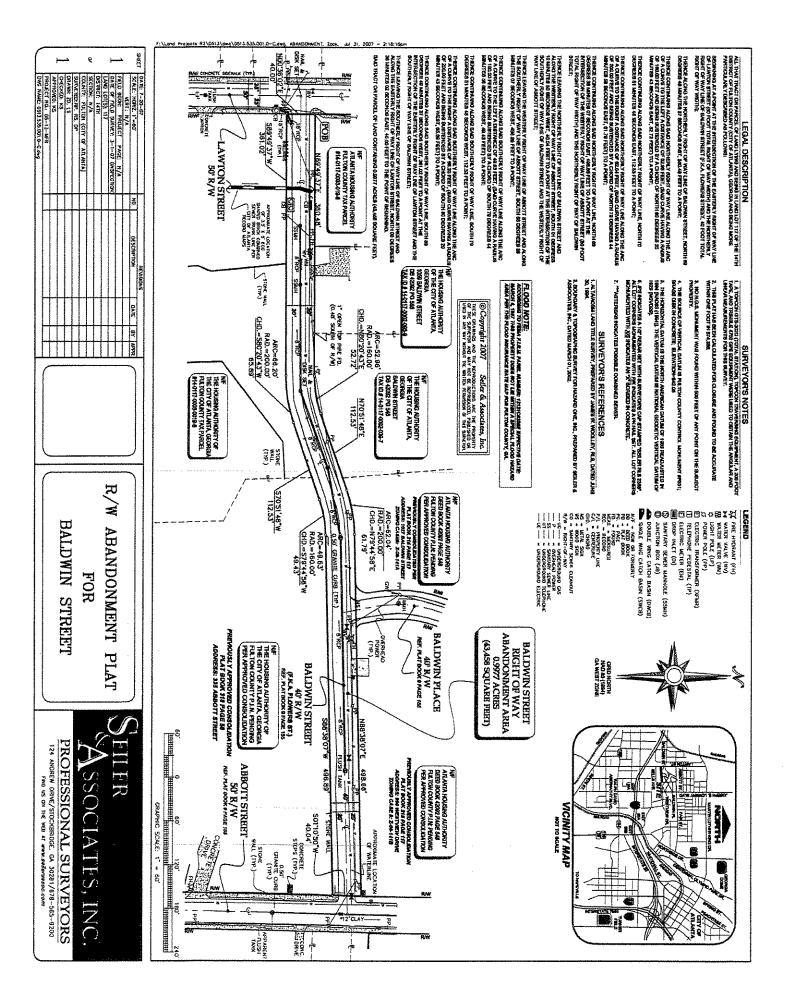
## **Property Owner's Statement**

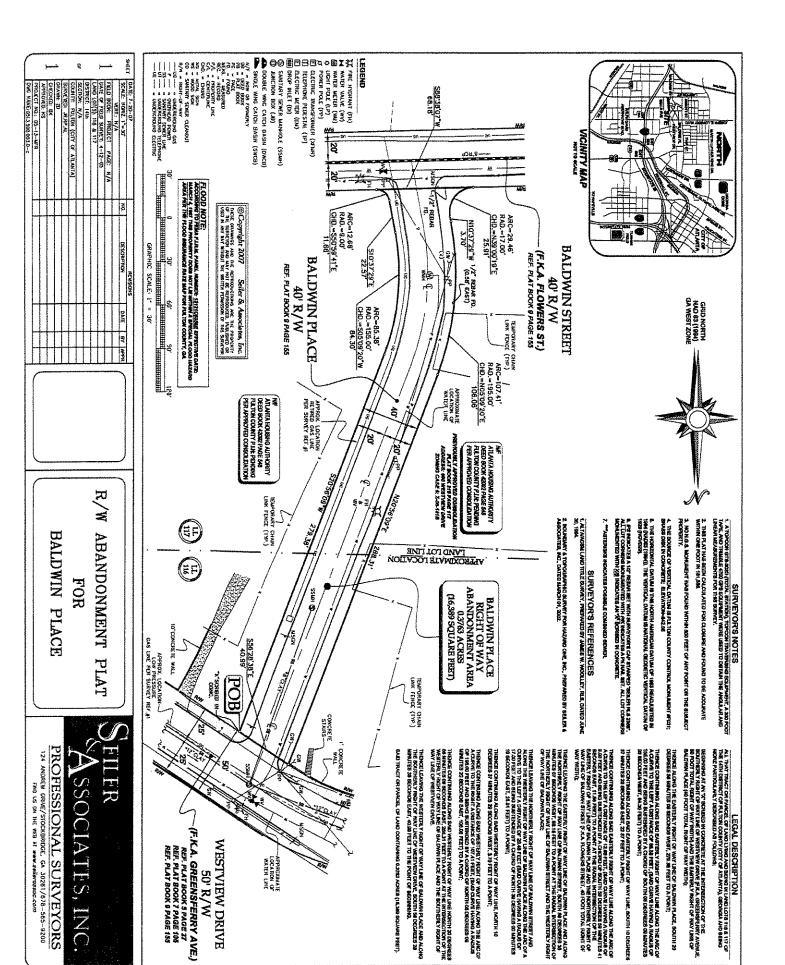
I, The Housing Authority of the City of Atlanta, Georgia (owner's name), the undersigned do hereby certify that I am the owner(s) of record of real property abutting Baldwin Place / Abbott Street, public rights-of-way in the City of Atlanta.

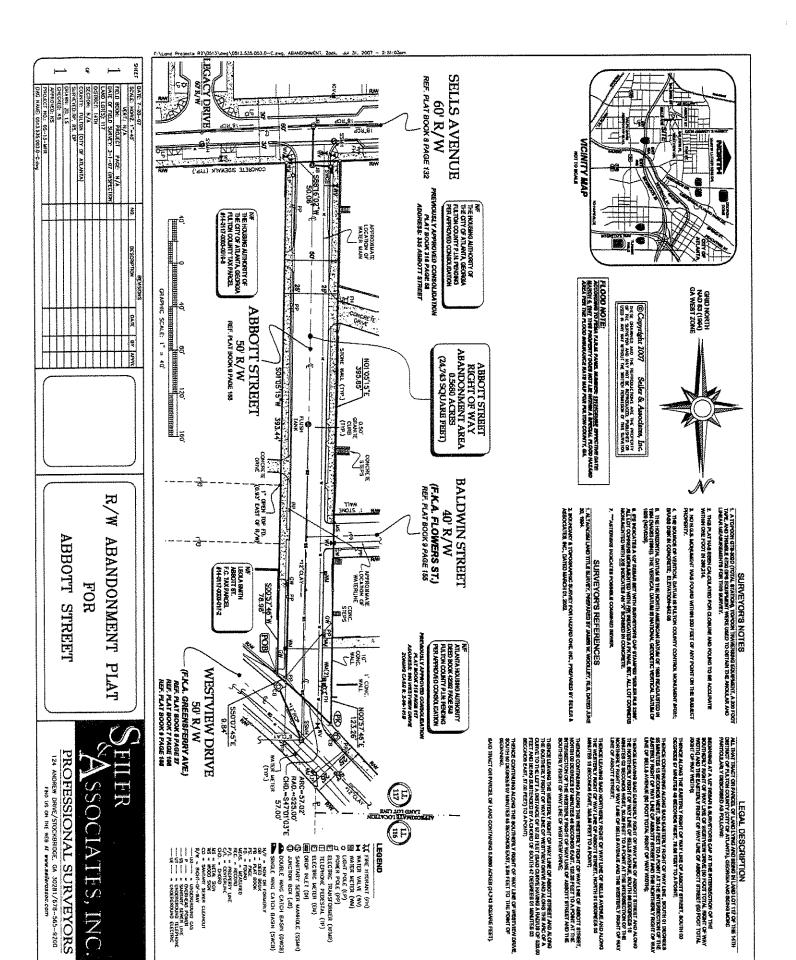
I support X/do not support the abandonment of the aforementioned rights-of-way. If abandoned, I will X/will not acquire at fair market value that portion of the rights-of-way abutting my property.

(Except as stated in/section 5(b) of the 2003 Harris Homes Cooperation Agreement)

ature of Property Owner







CHECK DATE Harris Redevelopment, LLC. 8-07-07 CHK REQ 8/ 8-10-07 NUMBER SHCK SHCK STREET ABANDONMENT 1387 TOTAL > INVOICE AMOUNT 2500.00 2500.00 CITY0008 DEDUCTION City of Atlanta BALANCE 2500.00 2500.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

# THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND • THIS PAPER CONTAINS FLUORESCENT FIBERS AND OTHER SECURITY FEATURES

Suntrust Bank Atlanta, GA 30303

60 Piedmont Avenue Harris Redevelopment, LLC.

404-224-1860 Atlanta, GA 30303

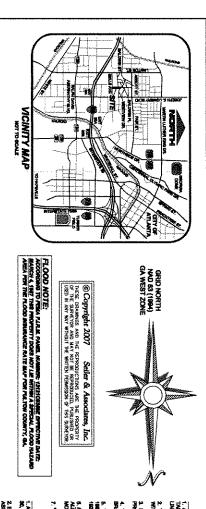
August 10, 2007

CHECK NO. 1387

610

AMOUNT \$\*\*\*\*\*2,500.00

Pay:\*Two thousand five hundred dollars and no cents



# SURVEYOR'S NOTES

- 2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 259.274.

- R. THE HORIZONTAL, DATUM IS THE MORTH AMERICAN DATUM OF 1868 READJUSTED IN 1864 (MADIS (1864)), THE VENTICAL DATUM IS NATIONAL GEODETIC VERTICAL DATUM OF 1865 (NATICES).

SURVEYOR'S REFERENCES

7. \*\*\*ARTERORGE BACKCATER POSSENLE COMBINED BEWER.

LEGAL DESCRIPTION

ALTERT TRACTOR PARES OF LAND LYNG AND BESIGN LAND LOT 117 OF THE WITH DISTRICT OF FALTON COUNTY (CITY OF TALLANTIA) GEOGRAPANNO BESING MARE PARTICLARLY DESCRIBED AS POLICIARS.

", A TOPICON GTB-9020 (TUTAL STATON), TOPICON TRANSISSING EQUIPALEN", A 200 FOOT TAPEL AND TRANSE A FOO GPG EQUIPALENT NESSE USED TO OSTAIN THE ANGULAR AND LABEAR HEAGUREARTS FOR THIS SURVEY.

3. NO N.O.S. MONUMENT WAS FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.

A. THE BOURCE OF VERTICAL DATUM IS FULTON COUNTY CONTROL MONUMENT #1881; BRUGBIDISK IN CONCRETE; ELEVATION=942,05

R. 25 BIOLATES A 1/2" RESAR SET WITH SURVEYOR'S CAP STAMPED "SELER RE 2286". VILLOT COPINETS MOMALMENTO WITH PIK MIDICATES A 1/4" MALS SET, ALL LOT COMERSE WOMLMESTED WITH <u>1/28</u> HONOLTES AN "X" BORBED IN CONCRETE.

1. ALTRANCISM LAND TITLE BURVEY, PREPARED BY JAMES W. WOOLLEY, PLB, DATED JUNE 50, 1994.

THE WAS LEAVING SACE MOSTHERRY REGAT OF WAY LINE OF SELLS AVERILE AND ALONG THE WESTERN YEAR OF WASHINGTORED, MORTH OF BEFORE ASSOCIATION FOR A WASHINGTORED, MORTH OF DEGREESS BE MAINTED 18 SECONDS EAST, 386.86 FEET TO A POINT;

PENAZZ COMPANANO ALONG THE WESTERLY RIGHT OF WAY LIVE OF AMOUTT STREET.
OFFINIOR DESCRIPTION OF THE WESTERLY RIGHT OF WAY LIVE OF AMOUTT HE THE THE PROPERTY IN THE THE PROPERTY THE THE PROPERTY OF THE WESTERLY RIGHT OF WAY LIVE OF AMOUTT STREET.

PERSON ENANG THE WINDERS Y MART OF MAY LINE OF MAROTT RITREET AND ALCHO THE ROUTHERN PARK TOO MAY LINE OF MERTIFIEN PROFE AND ALCHO THE AND CA. SAL MAYER TO THE LIFT A DESINANCE OF READ FEET (BAID CHAPE HAVING A RUCHES OF READ AS TECT AND REMORE MERTIFICEDED BY A CHAPTON.

NENCE CONTINUANG ALONG THE SOUTHERSLY RIGHT OF WAY LINE OF WESTVIEW DRIVE, Outh so degrees of minutes as seconds east, s.as feet to the point of Exhauma.

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2. BOUNDARY & TOPOGRAPHIC SURVEY FOR HAZARD ONE, INC., PREPARED BY BELEF & ABBOCKYTER, INC., DATED MARCH 91, 2012.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.860 ACRES (24,743 BQLARK FEET).

SELLS AVENUE

NF
THE HOUSING AUTHORITY OF
THE CITY OF ATLANTA, GEORGIA
FULTON COUNTY P.I.N. FENDING
PER APPROVED CONSOLIDATION

ABBOTT STREET
RIGHT OF WAY
ABANDONMENT AREA
0.5680 ACRES

BALDWIN STREET

40' R/W

(F.K.A. FLOWERS ST.)
REF. PLAT BOOK 9 PAGE 155

(24,743 SQUARE FEET)

REF. PLAT BOOK 8 PAGE 132

PREVIOUSLY APPROVED CONSOLIDATION
PLAT BOOK 318 PAGE 58
ADDRESS: 335 ABBOTT STREET

60' R/W

PREVIOUSLY APPROVED CONSOLISATION
PLAT BOOK 318 PASH 117
ADDRESS: NO WESTVIEW DISVE
ZOMING CASE IL Z-04-1418 ATLANTA HOUSING AUTHORITY
DEED BOOK 42002 PAGE 548
FULTON COUNTY PLIK PENDING
PER APPROVED CONSOLIDATION

NOTICE OF THE PARTY OF THE PART

LEGEND

XX FRE HYDRANT (FH)

MATER VILVE (WY)

MATER (MA)

M

WATER METER (TYP.)

CHD.=\$47"01"03"E

57.00

RC=57.02'

SINGLE WING CATCH BASIN (SWCB)

H/T = NOW OF FORWERLY
BH = PAIN BOOK
PG. = PAIR
BOOK
REG. = RECONDED
REG. = RE

(F.K.A. GREENSFERRY AVE.)
REF. PLAT BOOK 5 PAGE 27
REF. PLAT BOOK 7 PAGE 108
REF. PLAT BOOK 9 PAGE 168

WESTVIEW DRIVE 50' R/W

\$50°07'45"E

SHEET

CITY OF ATLANTA

CACY DRIVE

NF
THE HOUSING AUTHORITY OF
THE CITY OF ATLANTA, GEORGIA
FULTON COUNTY TAX PHARZE
FH-0117-0003-0019-8

ABBOTT STREET REF. PLAT BOOK 9 PAGE 155 50' R/W

CONCRETE DRIVE

1° OPEN TOP FD.

500'57'46" W 78.98'

B

\*12 CLAY-

S01.05,12, M

18 58816.02 W

60° R/W

0' 0 40' 8

80\* 120

GRAPHIC SCALE: 1" = 40'

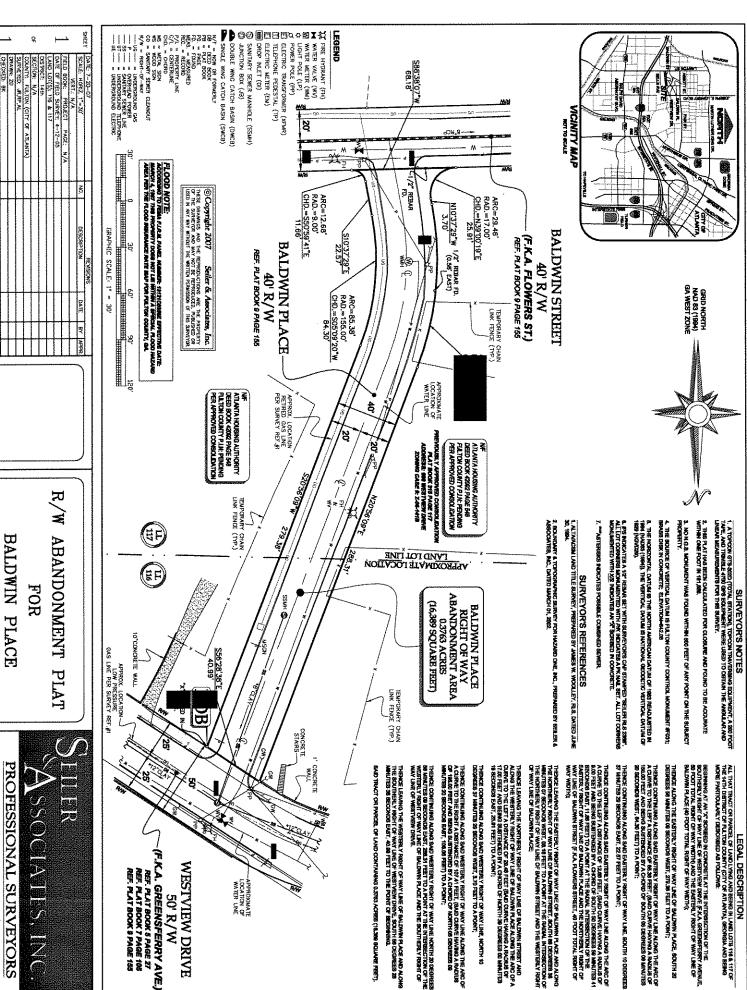
PROFESSIONAL SURVEYORS

SSOCIAILS, IZC.

R/W ABANDONMENT PLAT

ABBOTT STREET

124 ANDREW DRIVE/STOCKBRIDGE, GA 30281/678-565-9200





(F.K.A. GREENSFERRY AVE.)

REF. PLAT BOOK 5 PAGE 27

REF. PLAT BOOK 7 PAGE 105

REF. PLAT BOOK 8 PAGE 185

WESTVIEW DRIVE

50' R/W

APPROXIMATE LOCATION OF WATER LINE

PROFESSIONAL SURVEYORS 124 ANDREW DRIVE/STOCKBRIDGE, GA 30281/678--565-9200

